

REMARKS

Claims 1-16 are pending in the application. Claims 1-16 are rejected.

Claim of Foreign Priority

The present application claims foreign priority from Japanese application 2001-335480 filed October 31, 2001. The certified copy of the priority document was submitted concurrently with the filing of the present application. The Examiner has not acknowledged receipt of the documents and claim of priority.

It is respectfully requested the Examiner acknowledge priority and receipt of the certified priority document.

Claim Amendments

Claims 1-16 have been amended herein to clarify the claimed invention. No new matter is entered since the amendments are based upon the original disclosure.

Claim Rejections

Claims 1-9 and 11-15 were rejected under 35 U.S.C. § 102(e) as being anticipated by Rajahalme (U.S. Patent Application Publication No. 2004/0141603).

Claims 10 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rajahalme in view of Luke et al. (U.S. Patent Application Publication No. 2004/0133634).

The rejection of claims 1-16 is being herein respectfully traversed for at least the following reasons:

In the current Office Action it is noted that in rejecting claim 1 paragraph 41 and paragraph 47 are pointed to, in contrast to the previous Office Action where only pointed to paragraphs 41 and 43. It appears the rejection was changed without claim amendments and the finality should be withdrawn.

In addition in the "Response" section of the Office Action page 2, Item 2, the Examiner states that the routing means routes the package to the correspondent destination node based on mobile IP binding information contained in the package.

Applicant submits this is one of the differences. The reference teaches routing the packet to a destination node based upon the destination address of the packet as pointed out by the Examiner, i.e. based on mobile IP binding information contained in the package.

In contrast applicant determines a destination server based on the specific mobile IP terminal (for example, source of the packet). Applicant's claimed determining a destination server based upon the identifying information which specific to a mobile IP terminal.

Specifically, as an example, the group of servers S1, S2, ..., Sn in Fig. 1 disclosed by Rajahalme, is the group of the servers respectively representing individual destinations such as a Web server, a mail server, and a streaming server. CA (Correspondent Agent) of Rajahalme merely acts as an agent for processing a mobile IP messages that should be performed by the Web server, the mail server, or the stream server.

In contrast applicant's claimed invention realizes a load balancing among servers in which a virtual single Web server is operated by a plurality of server machines in order to avoid concentration of load in the Web server, which is regarded as a specific single destination, such as used in, for example, an online shopping.

Normal server accesses from non-mobile terminals (clients) can be distributed to the same server from the beginning to the end of a service by using the client's IP address as a key since the client's IP address, which is the source address of a packet from the client to the server, does not change. However, the IP addresses of mobile terminal clients change as the terminals move. This is why the function of the present invention is required.

Claim 2 recites the identifying information comprises a home address included in a destination option header of the packet.

In contrast Rajahalme teaches a destination address is used to select the destination server and also fails to disclose in paragraph 0034 "destination option header" as claimed in claim 2.

Specifically applicant's claim 3 recites: the identifying information is prescribed in predetermined lower bits of a source address of a packet utilizing a stateless address configuration method.

In complete contrast Rajahalme discloses in paragraph 0023 that destination address is used to select the destination server.

Regarding claims 4-9 and 14-15, Rajahalme fails to disclose respective features as claimed.

Regarding independent claims 12 and 13, Rajahalme fails does not suggest a load balancer. Also, Rajahalme fails to disclose that messages are exchanged between a HA (home agent) and an access router 5 (or corresponding agent CA 6).

Accordingly, claims 1-9 and 11-15 are patentably distinguishable over Rajahalme under 35 U.S.C. § 102(e).

Regarding claims 10 and 16:

Claims 10 and 16 are also patentable at least because of their direct dependency from independent claims 5 and 6 and for at least the previously argued distinguishing features, respectively.

In view of at least the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully

requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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